IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: _V. Benevidium_ Date: March 17, 2004

Applicant(s):	L. Denby et al.
Case:	503021-A-01-US (Denby)
Serial No.:	10/643,275
Filing Date:	August 19, 2003
Group:	2661
Examiner:	To Be Assigned

Title: Method and Apparatus for Automatic Determination of Performance Problem Locations in a Network

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants' attorney wishes to bring to the attention of the Patent and Trademark Office the following documents listed on the accompanying Form PTO-1449. A copy of each listed document is enclosed, other than published U.S. patent documents.

U.S. Patent Documents

1. U.S. Patent Publication No. 2003/0097438 A1 issued on 05/22/03 to Bearden et al.

2. U.S. Patent Publication No. 2003/0091165 A1 issued on 05/15/03 to Bearden et al.

3. U.S. Patent Publication No. 2003/0086425 A1 issued on 05/08/03 to Bearden et al.

4. U.S. Application Serial No. 10/261,431, filed in the name of Bearden et al. on September 30, 2002 and entitled "Communication System Endpoint Device With Integrated Call Synthesis Capability."

5. U.S. Application Serial No. 10/459,948, filed in the name of Adhikari et al. on June 12, 2003 and entitled "Distributed Monitoring and Analysis System for Network Traffic."

Page 1 of 3

6. U.S. Application Serial No. 10/460,700, filed in the name of Adhikari et al. on June 12, 2003 and entitled "Method and Apparatus for Determination of Network Topology."

Other Documents

1. Y. Breitbart et al., "Topology Discovery in Heterogeneous IP Networks," Proceedings of IEEE Infocom 2000, 10 pages, March 2000.

2. B. Huffaker et al., "Topology Discovery by Active Probing," CAIDA, 8 pages, 2002.

3. M.R. Meiss et al., "Standards-Based Discovery of Switched Ethernet Topology," Advanced Network Management Lab, pp. 1-20, April 2002.

4. R. Siamwalla et al., "Discovering Internet Topology," Cornell University, pp. 1-16, July 1998.

5. J.Q. Walker, "A Handbook for Successful VoIP Deployment: Network Testing, QoS, and More," NetIQ Corporation, pp. 1-13, 2002.

6. "NetIQ Vivinet Diagnostics," http:// www.netiq.com/products/vd/default.asp, pp. 1-2, 1993-2003.

7. "NetIQ - Checklist of VoIP Network Design Tips," NetIQ Corporation, 3 pages, 2002.

8. Brix Networks, "Library," http://www.brixnet.com/library/library_register.cfm, 1 page, 2003.

9. Brix Networks, "The Brix System," http://www.brixnet.com/products/products_ overview.html, 1 page, 2003.

10. "Omegon Unveils NetAlly Solution; Industry-First Fully Active Service Quality Assurance Platform Assures Customers Unprecedented Levels of Network Availability and Reliability," http://www. itsecurity.com/tecsnews/sep2000/sep517.htm, pp. 1-3, September 2000.

11. "Chariot VoIP Assessor Version 1.0," http://www.tmcnet.com/it/0302/0302labs5.htm, pp. 1-4, March 2002.

12. "VoIP Management and Network Testing," http://www.netiq.com/solutions/voip/default.asp, pp. 1-3, 2002.

13. "Chariot," http://www.netiq.com/products/chr/, pp. 1-2, 2002.

14. "VoIP Test Module for Chariot," http://ww.netiq.com/products/chr/voipmodule.asp, pp. 1-2, 2002.

15. Telchemy, Inc., "Monitoring Voice Quality in Voice Over IP Networks," 3 pages, 2001.

16. Telchemy, Inc., "Bringing Intelligence to Networks," http://www.telchemy.com/, pp. 1-5, 2001.

17. Viola Networks, "NetAlly® VoIP - VoIP Readiness Testing and Deployment," http://www.omegon. com/netally_voip.asp, pp. 1-4, 2002.

18. Moshe Sidi et al., "Converged Network Performance Verification and e-Support Using NetAlly®," Omegon Networks Ltd., pp. 1-13, June 2001.

19. Moshe Sidi, "Reality-based VoIP Readiness Testing using NetAlly® VoIP," Viola Networks, pp. 1-10, April 2002.

20. Moshe Sidi, "Readying Your Network for VoIP: Get it Right the First Time," Viola Networks, pp. 1-9, April 2002.
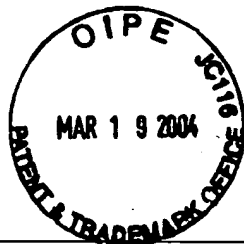
It is believed that there is no fee due in conjunction with the filing of this Information Disclosure Statement. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Avaya Inc. Deposit Account No. 50-1602** as required to correct the error.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or as an admission that the information cited is considered to be material to patentability, or as a representation that no other material information exists.

Respectfully submitted,

Date: March 17, 2004

Joseph B. Ryan
Reg. No. 37,922
Attorney for Applicant(s)
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7517

OIPE
MAR 1 9 2004

Applicant(s): L. Denby et al.
Case: 503021-A-01-US (Denby)
Serial No.: 10/643,275
Filing Date: August 19, 2003
Group: 2661

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
___	1.	2003/0097438 A1	05/22/03	Bearden et al.		
___	2.	2003/0091165 A1	05/15/03	Bearden et al.		
___	3.	2003/0086425 A1	05/08/03	Bearden et al.		
___	4.	10/261,431	09/30/02	Bearden et al.		
___	5.	10/459,948	06/12/03	Adhikari et al.		
___	6.	10/460,700	06/12/03	Adhikari et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS

EXAMINER INITIAL   REF NO.   AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.

___ 1. Y. Breitbart et al., "Topology Discovery in Heterogeneous IP Networks," Proceedings of IEEE Infocom 2000, 10 pages, March 2000.

___ 2. B. Huffaker et al., "Topology Discovery by Active Probing," CAIDA, 8 pages, 2002.

___ 3. M.R. Meiss et al., "Standards-Based Discovery of Switched Ethernet Topology," Advanced Network Management Lab, pp. 1-20, April 2002.

___ 4. R. Siamwalla et al., "Discovering Internet Topology," Cornell University, pp. 1-16, July 1998.

___ 5. J.Q. Walker, "A Handbook for Successful VoIP Deployment: Network Testing, QoS, and More," NetIQ Corporation, pp. 1-13, 2002.

___ 6. "NetIQ Vivinet Diagnostics," http:// www.netiq.com/products/vd/default.asp, pp. 1-2, 1993-2003.

___ 7. "NetIQ - Checklist of VoIP Network Design Tips," NetIQ Corporation, 3 pages, 2002.

___ 8. Brix Networks, "Library," http://www.brixnet.com/library/library_register.cfm, 1 page, 2003.

___ 9. Brix Networks, "The Brix System," http://www.brixnet.com/products/products_ overview.html, 1 page, 2003.

Examiner   Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 (MODIFIED)

LIST OF PUBLICATIONS FOR
APPLICANT'S INFORMATION
DISCLOSURE STATEMENT

Applicant(s): L. Denby et al.
Case: 503021-A-01-US (Denby)
Serial No.: 10/643,275
Filing Date: August 19, 2003
Group: 2661

OTHER DOCUMENTS (cont'd.)

EXAMINER

INITIAL   **REF NO.**   **AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.**

10. "Omegon Unveils NetAlly Solution; Industry-First Fully Active Service Quality Assurance Platform Assures Customers Unprecedented Levels of Network Availability and Reliability," http://www. itsecurity.com/tecsnews/sep2000/sep517.htm, pp. 1-3, September 2000.

11. "Chariot VoIP Assessor Version 1.0," http://www.tmcnet.com/it/0302/0302labs5.htm, pp. 1-4, March 2002.

12. "VoIP Management and Network Testing," http://www.netiq.com/solutions/voip/default.asp, pp. 1-3, 2002.

13. "Chariot," http://www.netiq.com/products/chr/, pp. 1-2, 2002.

14. "VoIP Test Module for Chariot," http://ww.netiq.com/products/chr/voipmodule.asp, pp. 1-2, 2002.

15. Telchemy, Inc., "Monitoring Voice Quality in Voice Over IP Networks," 3 pages, 2001.

16. Telchemy, Inc., "Bringing Intelligence to Networks," http://www.telchemy.com/, pp. 1-5, 2001.

17. Viola Networks, "NetAlly® VoIP - VoIP Readiness Testing and Deployment," http://www.omegon. com/netally_voip.asp, pp. 1-4, 2002.

18. Moshe Sidi et al., "Converged Network Performance Verification and e-Support Using NetAlly®," Omegon Networks Ltd., pp. 1-13, June 2001.

19. Moshe Sidi, "Reality-based VoIP Readiness Testing using NetAlly® VoIP," Viola Networks, pp. 1-10, April 2002.

20. Moshe Sidi, "Readying Your Network for VoIP: Get it Right the First Time," Viola Networks, pp. 1-9, April 2002.

Examiner   Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.